

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO.411 OF 2014

IN

SUIT NO.224 OF 2014

Valji Mavji Patel

....Applicant/Plaintiff

Vs.

The State of Maharashtra and Ors.

....Defendants

Mr. Dattatray Sakhalkar a/w. Mr. Ashish Mehta and Ms. Sana Bundeally i/b.
Mr. Ashish Mehta for applicant/plaintiff.

Mr. R.J. Mane, AGP for defendant nos.1,3 and 10.

Mr. Arvind D. Aswani i/b. Mr. J.G. Reddy for defendant nos.3 and 4.

Mr. Naresh Ratnani i/b. Ashwin Ankhad and Associates for defendant no.5.

CORAM : K.R.SHRIRAM, J.

DATE : 20th JULY, 2017

PC.:

1 No reply has been filed by any defendants. Having heard the counsel for applicant, I am inclined to grant only prayer clause – (e) and dispose of the notice of motion.

2 The counsel for applicant states that liberty should be granted to plaintiff to move the Court for appointment of Court Receiver with a fresh notice of motion, should the need arise. That liberty is always open for plaintiff.

3 In the circumstances, the notice of motion is allowed and accordingly disposed in terms of prayer clause – (e) which reads as under :

“(e) That pending the hearing and final disposal of the above

suit this Hon'ble Court be pleased to restrain the defendants from putting any purchaser/third parties in possession of any of the unsold and vacant flats and premises in the sale building named Yashovan Tower constructed on the land bearing F.P. Nos.97(part) on the suit property, which is more particularly described in Schedule 'A' annexed hereto.”

(K.R. SHRIRAM, J.)